

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS (EASTERN DIVISION)

<b>Comcast of Georgia/Massachusetts, Inc. and Comcast of Middletown, Inc. and Comcast of Boston, Inc. and Comcast of California/ Massachusetts/ Michigan/Utah, Inc. and Comcast of Maine/New Hampshire, Inc. and Comcast of Massachusetts I, Inc. and Comcast of Massachusetts II, Inc. and Comcast of Massachusetts III, Inc. and Comcast of Massachusetts/New Hampshire/Ohio, Inc. and Comcast of New Hampshire, Inc.</b>	<b>Case No.: 04-cv-10414-RCL</b>
<b>Plaintiffs,</b>	<b>AFFIDAVIT OF JOHN M.</b>
<b>vs.</b>	<b>MCLAUGHLIN IN SUPPORT OF</b>
<b>Joseph Amaro, Dimas Amaro, and Joseph Amaro and Dimas Amaro, Jointly d.b.a. CABLEJOINT and D's Electronics</b>	<b>SECOND MOTION TO AMEND</b>
<b>Defendants</b>	<b>SCHEDULING ORDER</b>

Now comes the affiant, and makes this his sworn statement, under the pains and penalties of perjury, of his own personal knowledge.

**FACTUAL ASSERTIONS**

1. I am counsel for the Plaintiffs in this Action.
2. A recent, scheduled, noticed deposition of the mother of the Defendants had to be canceled just prior to the date of the deposition when I was informed by Defendant's counsel that this individual is presently in Portugal and will be in Portugal until approximately August 15, 2005.

3. The deposition had already been noticed and subpoenas were left by the appropriate sheriff for the mother of the Defendants at an address that the Plaintiffs believed was her home.
4. The testimony of this individual is important in that she may have significant discoverable information about the activities of the Defendants. Also, it is possible that after I depose this individual I may have to amend the Complaint in this action
5. I conferred with Defendant's counsel as to this motion and the Defendants fully assent to this motion.

Subscribed and sworn to, under the pains and penalties of perjury,

June 21, 2005

/s/John M. McLaughlin